

No. 11(112) 3 Lab-78/10011.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workman and the management of M/s Amar Foundry Pvt. Ltd., Sector 6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 297 of 1978

between

SHRI CHHOTU WORKMAN AND THE MANAGEMENT OF M/S AMAR FOUNDRY
PVT. LTD., SECTOR-6, FARIDABAD.

Present.—

Shri Sunhari Lal, for the workman.

Shri D. C. Bhardwaj, for the management.

AWARD

By order No. ID/FD/120-78/35199, dated 27th July, 1978 the Governor of Haryana, referred the following dispute between the management of M/s Amar Foundry Pvt. Ltd., Sector-6, Faridabad and its workman Shri Chhotu, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Chhotu was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. A settlement was arrived at between the parties according to which the workman has received a sum of Rs 1200 only from the management,—*vide* vouchers Ex. M-2 to M-5 and gave up his right to reinstatement or re-employment,—*vide* a settlement Ex-M-1. I, therefore, give my award that the termination of services of the workman was justified and in order. He is not entitled to any relief.

Dated 6th November, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1112, dated the 7th November, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)3Lab-78/10012.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workmen and the management of M/s Elite Cinema Hissar.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 27 of 1978

between

THE WORKMEN AND THE MANAGEMENT OF M/S ELITE CINEMA, HISSAR.

Present.—

Shri Tek Chand, for the workman.

Nemo, for the management.

AWARD

By order No. ID/HSR/530-77/3953, dated 2nd February, 1978 the Governor of Haryana, referred the following dispute between the management of M/s Elite Cinema, Hissar and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the workmen are entitled to grant of Bonus for the years 1975-76 and 1976-77 ?
If so, with what Details?

On receipt of the order of reference, notice were issued to the parties. The management did not appear but the representative for the workmen appeared who stated that the management has already paid Bonus to the workmen and hence he does not want to pursue this reference and that there was no dispute between the parties.

In view of the statements of the representative for the management, I give my award that now there exists no dispute between the parties relating to grant of bonus for the years 1975-76 and 1976-77. No details are necessary.

Dated the 6th November, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1113, dated the 7th November, 1978.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112) 3 Lab-78/10013.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the Workman and the management of M/s Anand Synthetic Ltd., Faridabad:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 112 of 1978

between

SHRI SURESH RAI, WORKMAN AND THE MANAGEMENT OF M/S ANAND
SYNTHETIC LTD., FARIDABAD.

Present :—

Shri Subhash Birla, for the workman.

Shri D. N. Tripathi, for the management.

AWARD

By order No. ID/FD/86-78/17273, dated 4th May, 1978, the Governor of Haryana, referred the following dispute between the management of M/s Anand Synthetic Ltd., Faridabad and its workman Shri Suresh Rai, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Suresh Rai was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The management filed Photostat copies of documents according to which the workman has received all his dues in full and final settlement of his claim and dispute and that he had no right to reinstatement and re-employment. The workman resigned his job of his own.

The representative for the workman stated that he had no instructions of any kind from the workman.

I, therefore, give my award that the workman had resigned his job of his own and the management did not terminate his services. The workman is not entitled to any relief.

NATHU RAM SHARMA,

Dated, the 6th November, 1978.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1114, dated the 7th November, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)3Lab-78/10014.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workman and the management of M/S Oriental Spun Pipe Company Private Limited C/o Decor Steel (P) Ltd., Mathura Road, Ballabgarh.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 53 of 1978

between

SHRI RAM BACHAN, WORKMAN AND THE MANAGEMENT OF M/S ORIENTAL SPUN
PIPE COMPANY PRIVATE LIMITED C/O DECOR STEEL (P) LTD., MATHURA ROAD,
BALLABGARH.

Present:—

Neither party present.

AWARD

By order No. ID/FD/32-78/8423, dated 21st February, 1978 the Governor of Haryana, referred the following dispute between the management of M/s Oriental Spun Pipe Company Private Limited C/o Decor Steel (P) Ltd., Mathura Road, Ballabgarh and its workman Shri Ram Bachan, to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Ram Bachan was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The factory of the management was lying closed. It was ordered that the workman assist in service of the notice of the management but the management was not served. On the last date of hearing, neither the workman appeared nor his representative. It seems that the workman is not interested in pursuing his dispute. His conduct rendered the case liable to dismissal in default. I, therefore, give my award that there exists no dispute between the parties.

NATHU RAM SHARMA,

Dated the 6th November, 1978.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1115, dated the 7th November, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh. as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-78/10015.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Seema Pencil Private Limited, Sector 25, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 23 of 1978

between

SHRI RISAL SINGH, WORKMAN AND THE MANAGEMENT OF M/S. SEEMA PENCIL
PRIVATE LIMITED, SECTOR-25, FARIDABAD

Present :

Shri Sagar Ram Gupta, for the workman.

Nemo, for the management.

AWARD

By order No. ID/FD/645-77/3058, dated 27th January, 1978, the Governor of Haryana, referred the following dispute between the management of M/s. Seema Pencil Private Limited, Sector-25, Faridabad and its workman Shri Risal Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d), sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Risal Singh, was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The representative for the workman appeared but the management did not appear. Notices were sent to the management for 5 times but were not served. Again service of notice was ordered by registered A. D. post. The notices were sent to the management by registered A. D. but the management refused to receive notice. Hence I proceeded against the management *ex parte* and fixed the case for *ex parte* evidence of the workman.

The workman examined himself as his own witness who stated that he worked with the management for about two years as a colourman at a wage of Rs. 400/- p.m. and the management terminated his services on 23rd November, 1977 without any notice or charge-sheet and without any justification and he was un-employed since then despite his efforts to get a job.

I believe in the statement of the workman made on S.A. and hold that the management terminated his services unjustifiably.

While answering the reference, I give my award that the termination of services of the workman concerned was neither justified nor in order. I set aside the said termination. The workman is entitled to reinstatement with continuity of service and with full back wages, and I order accordingly.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 6th November, 1978.

No. 1099, dated the 7th November, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112) 3Lab-78/10016.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act, No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workman and the management of M/s La Fashion Garments Plot No. 55 Sector 6, Faridabad:—

BEFORE SHRI NATHU RAM SHARMA PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 242 of 1977

between

SHRI DATA RAM WORKMAN AND THE MANAGEMENT OF M/S LA FASHION
GARMENTS PLOT NO. 55 SECTOR 6, FARIDABAD

Present :—

Nemo, for the workman.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID/FD/488-77/52366, dated 26th December, 1977, the Governor of Haryana, referred the following dispute between the management of M/s La-Fashion Garments Plot No. 55, Sector 6, Faridabad and its workman Shri Data Ram, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Data Ram was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties, The parties appeared and filed their pleadings. From the pleadings of the parties, the following issues were framed on 17th April, 1978:—

- (1) Whether the workman resigned his job of his own?
- (2) Whether the workman was temporary hand and the management had a right to terminate his service at their sweet will?
- (3) Whether the termination of services of the workman was justified and in order on the ground alledged in para No. 3 of the preliminary objection in the written statement or otherwise?

The case was fixed for the evidence of the management. The management examined Shri R. C. Sharma, their authorised representative as M. W. 1 who stated that the factory of the management has been closed and he knew it because he was their standing counsel. The factory has been completely closed in June, 1978. The management closed their case.

Then the case was fixed for the evidence of the workman. Thereafter neither the workman appeared nor the representative of the workman appeared. The workman led no evidence at all.

While answering the reference, I give my award that the termination of services of the workman concerned was justified and in order. He is not entitled to any relief.

Dated the 6th November, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1100, dated the 7th November, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-78/10017.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workmen and the management of M/s. Seema Pencil Private Ltd., Sector 25, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
HARYANA, FARIDABAD

Reference No. 24 of 1978

between

SHRI EJHAR BEG WORKMAN AND THE MANAGEMENT OF M/S. SEEMA PENCIL
PRIVATE, LTD., SECTOR—25, FARIDABAD

Present.—

Shri Sagar Ram, for the workman.

Nemo, for the management.

AWARD

By order No. ID/FD/645-77/3052, dated 27th January, 1978, the Governor of Haryana, referred the following dispute between the management of M/s. Seema Pencil Private Limited, Sector-25, Faridabad and its workman Shri Ejhar Beg, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ejhar Beg was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The representative for the workman appeared. The service on the notice of the management was not effected for 5 times. Again notice were ordered by registered post to the management. The management refused to receive the notice as per the report of the postal authority. Therefore, the management was proceeded against *ex parte* and the case was fixed for the *ex parte* evidence of the workmen. The workman examined himself as his own witness who stated that he began to work in this factory in the year, 1976 at wage Rs. 700/- P.M. as an operator and the management terminated his service without any reason and ground. The management never issued him any notice or charge sheet and he was un-employed since then inspite of making all the efforts to get the job.

From the *ex parte* evidence of the workman, I am satisfied that the management terminated his services without any justification.

While answering the reference, I give my award that the termination of service of the workman concerned was neither justified nor in order. I set aside the said termination. The workman is entitled to reinstatement with continuity of service and with full back wages and I order accordingly.

Dated the 6th November, 1978.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.